

Westlaw

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Texas Administrative Code Currentness

Title 25. Health Services

Part 1. Department of State Health Services

Chapter 181. Vital Statistics

Subchapter B. Vital Records

→→ § 181.28. Instructions and Requirements for Issuance of Certified Copies of Vital Records by the State Registrar, Local Registrar, or County Clerk

(a) Birth certificates.

(1) The State Registrar, Local Registrar, or county clerk shall issue only two types of certified copies:

(A) a full reproduction of the legal portion of the original record as filed in their office with any addendum(s); or

(B) an abstract of birth facts, taken from the original record. Probate records and delayed records may not be abstracted. An abstract shall be issued in one of three styles:

(i) a standard certified abstract;

(ii) an electronic or computer generated certified abstract prepared in accordance with Health and Safety Code, § 192.005 or § 192.011, or when the condition of the original record does not permit full reproduction; or

(iii) an heirloom style certified abstract which may only be issued by the State Registrar.

(2) Each certified copy of a record, or abstract of birth facts, shall be issued over the signature or facsimile thereof of the officer to whom the record is entrusted, and shall bear the seal of their office, and a statement of certification:

(A) either as a part of the custodian's files; or

(B) as authorized to be issued from the State Registrar's file.

(3) All certified copies of birth records shall include the following information, if known:

(A) state or local file number;

(B) given name(s);

(C) surname;

(D) date of birth;

(E) state, and city or county of birth;

(F) sex;

(G) father's name;

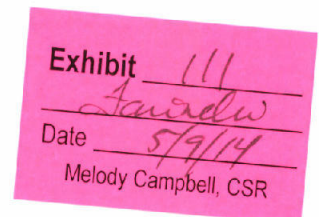
(H) mother's maiden name;

(I) date of filing;

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(J) date certified copy issued;

(G) sex;

(K) certification statement;

(H) date of filing;

(L) signature or facsimile signature of the custodian; and

(I) date certified copy issued;

(M) the seal of their office.

(J) certification statement;

(K) signature or facsimile signature of the custodian; and

(b) Death certificates.

(L) the seal of their office.

(1) The State Registrar, Local Registrar, or county clerk shall issue only two types of certified copies:

(A) a full reproduction of the original record and any addenda as filed in their office; or

(B) a certified abstract of death facts, taken from the original record.

(c) Security features. No certified copy or abstract shall be issued unless the issuing office provides security features in the paper used for issuance. Each sheet or document shall be made on paper which contains as a minimum the following security features in accordance with the security standards adopted by the State Registrar:

(2) All certified copies of death records shall include:

(A) state or local file number;

(1) consecutive numbers--documents that contain sequential numbers for control purposes;

(B) given name(s);

(2) background security features--a repetitious design consisting of a pattern that hinders counterfeiting efforts;

(C) surname;

(3) security thread--micro printed polyester thread that is introduced into the paper during the forming process so that the thread is embedded and is an integral part of the paper;

(D) date of death;

(E) date of birth;

(4) an engraved border--a border that is produced from engraved artwork containing images from fine lines to very complex patterns;

(F) state, city or county of death;

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(5) microline printing or security thread--a line of small alpha characters in capitol letters that requires a magnifying glass to read;

(6) sensitized security paper--paper that is reactive to chemicals commonly used to alter documents;

(7) prismatic printing--a rainbow printing that is used as a deterrent to color copying;

(8) erasable fluorescent printing--fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable;

(9) non-optical brighteners--paper without added optical paper brighteners that will not fluoresce under ultraviolet light;

(10) complex colors--colors that are developed by using a mixture of two or more of the primary colors (red, yellow and blue) and black is required;

(11) intaglio printing--the printing process in which the paper is firmly pressed into the inked engraved plate. Once the paper is removed, the ink sticks to the top of the paper, creating a texture that can be felt with your fingers;

(12) latent image--designs in the engraved border that contains hidden images that appear only when viewed from a prescribed angle to a light source. The intaglio process can print these images;

(13) watermark--a three-dimensional graphic element molded into the paper in a continuous pattern during the paper manufacturing process.

(d) Other permitted security features. Other security features such as, but not limited to the following, may also be incorporated in the paper used:

(1) security laminate--a plastic laminate is placed over printed information as to reveal any attempts to alter the printed material; or

(2) a copy void pantograph--the word void appears when the document is photocopied.

(e) Record retention. An electronic record or paper application that includes the date issued, document control number, name, address and signature, and a photocopy or facsimile of the form of identification to whom the record was issued shall be made and maintained for a period of three years from the date issued.

(f) The Vital Statistics Unit will develop standards for procurement parameters regarding the purchase and distribution of the issuing medium for birth certificates, including paper.

(g) The Vital Statistics Unit will explore options regarding establishment of a central database for the issuance of certified copies and abstracts of birth certificates by State and Local Registrars.

(h) The Vital Statistics Unit will develop standards to limit access to archived paper birth certificates and set standards for the paper used to print certified copies and abstracts of birth.

(i) Properly Qualified Applicant Acceptable Documentation.

(1) In accordance with Health and Safety Code, § 191.051, "Certified Copies," all lobby and mail-in applications submitted to obtain certified documents must meet the guidelines

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set out in this rule.

(2) All applicants for certified documents must present proof of identity acceptable to the State Registrar.

(3) All requests for certified documents must be submitted on a state-approved application or in a format that is acceptable to the State Registrar.

(4) All lobby and mail-in applications submitted to obtain certified documents must contain the applicant's signature.

(5) All applicants must sufficiently identify the vital record that is of interest at the time of request.

(6) All primary identification documents must have a United States issuance origin.

(7) All identification documents must be verifiable by the source that issued the document.

(8) The Vital Statistics Unit shall retain a photocopy of all documents submitted and accepted as proof of identification in accordance with the retention period in subsection (e) of this section.

(9) All applicants must present identification consistent with the following identification requirements:

(A) primary identification outlined in paragraph (10) of this subsection; or

(B) secondary identification reflected in

paragraph (11) of this subsection; and

(C) supporting documentation stated in paragraph (12) of this subsection.

(10) Primary Identification.

(A) Primary Identification documents do not require supporting instruments, unless otherwise specified.

(B) All acceptable Primary Identification documents must be current and valid.

(C) The applicant's identification must contain the applicant's name and photograph that establishes the applicant's identity.

(D) Acceptable forms of Primary Identification:

(i) Driver's License;

(ii) Federal or State Identification card;

(iii) Federal, State or City law enforcement employment identification card, or employment badge accompanied by employment identification card;

(iv) Offender Identification card issued by the Department of Criminal Justice correctional facility or institution;

(v) Military Identification card;

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(vi) Department of Homeland Security, United States Citizenship and Immigration Services (USCIS) issued:

(I) Employment Authorization Document (EAD);

(II) Permanent Resident Card (green card);

(III) Travel Documents:

(-a-) Re-entry Permit;

(-b-) Refugee Travel Permit; or

(-c-) Advance Parole.

(IV) SENTRI Card; or

(V) U.S. Citizen Identification Card.

(vii) United States Department of State issued:

(I) Border Crossing Card (B1 for business or pleasure or B2 medical purposes); or

(II) Visa.

(viii) Concealed Handgun License;

(ix) Pilot's license; or

(x) United States Passport.

(11) Secondary identification.

(A) In the absence of a form of primary identification, applicants are permitted to submit secondary forms of identification to establish proof of their identity.

(B) When submitting secondary forms of identification, applicants are required to produce:

(i) two forms of Acceptable Secondary Identification, of different types; or

(ii) one form of Acceptable Secondary Identification, plus two forms of Acceptable Supporting Identification of different types.

(C) When submitting secondary forms of identification, the documents combined must confirm the identity of the applicant. At least one of the documents must contain the applicant's name, signature, or identifiable photo of the applicant.

(D) Acceptable forms secondary identification:

(i) Current student identification;

(ii) Any Primary Identification that is expired;

(iii) Signed Social Security card, or Numident;

(iv) DD Form 214 Certificate of Release;

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(v) Medicaid card;

requirements in establishing identity.

(vi) Medicare card;

Source: The provisions of this §181.28 adopted to be effective March 16, 1995, 20 TexReg 1559; amended to be effective July 3, 2003, 28 TexReg 4904; amended to be effective July 22, 2004, 29 TexReg 6936; amended to be effective August 11, 2013, 38 TexReg 4896.

(vii) Veterans Affairs card;

(viii) Medical insurance card;

(ix) Foreign Passport accompanied by a Visa issued by the United States Department of State;

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(x) Foreign Passport in accordance with the United States Department of State, Visa Waiver Program;

Current through 39 Tex.Reg. No. 2390, dated March 28, 2014, as effective on or before March 31, 2014

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(xi) Certified birth certificate from the Department of State (FS-240, DS-1350 or FS-545);

(xii) Private Company Employment Identification card;

(xiii) Form I-94--accompanied by the applicant's Visa or Passport;

(xiv) Mexican voter registration card;
or

(xv) Foreign Identification with identifiable photo of applicant.

(12) Supporting Identification--Other records or documents that verify the applicant's identity. The Vital Statistics Unit refers to their policy for acceptable supporting identification. The examining or supervisory personnel may determine that a supporting identification document may meet the department's